

PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q87757

Toshiyuki TAKASU, et al.

Appln. No.: 10/534,290

Group Art Unit: 1611

Confirmation No.: 9818

Examiner: KLINKEL, KORTNEY L

Filed: May 9, 2005

For: REMEDY FOR OVERACTIVE BLADDER COMPRISING ACETIC ACID ANILIDE
DERIVATIVE AS THE ACTIVE INGREDIENT

STATEMENT OF SUBSTANCE OF INTERVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please review and enter the following remarks summarizing the interview conducted on
November 5, 2009:

REMARKS

An Examiner's Interview Summary Record (PTO-413) was mailed November 5, 2009.

During the interview, the following was discussed:

1. Brief description of exhibits or demonstration: None
2. Identification of claims discussed: Claim 1
3. Identification of art discussed: None
4. Identification of principal proposed amendments: None
5. Brief Identification of principal arguments: None
6. Indication of other pertinent matters discussed: None

7. Results of Interview:

Applicants thank Examiner Klinkel and Supervisor Mehta for conducting the personal interview on November 5, 2009, with Applicants' representatives, Sunhee Lee and Tu A. Phan-Kerr. During the interview, Applicants' representatives explained that Example 2 in the specification demonstrates the lack of side effects by the claimed compound, i.e., its lack of effect on bladder contraction pressure, while Example 1 compares the unexpectedly superior effects of the instantly claimed compound on bladder muscle relaxation in comparison to a second known B₃-agonist (CGP-12 177A). It was suggested that Applicants provide evidence (*i.e.*, references) to show that at the time of the instant invention, CGP-12 177A, was the state of the art agent for affecting smooth muscle relaxation.

It is respectfully submitted that the instant STATEMENT OF SUBSTANCE OF INTERVIEW complies with the requirements of 37 C.F.R. §§1.2 and 1.133 and MPEP §713.04.

It is believed that no petition or fee is required. However, if the USPTO deems otherwise, Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,

/Sunhee Lee/

Sunhee Lee
Registration No. 53,892

STATEMENT OF SUBSTANCE OF INTERVIEW
U.S. Application No.: 10/534,290

Attorney Docket No.: Q87757

/Tu A. Phan/

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

Tu A. Phan, Ph.D.
Registration No. 59,392

WASHINGTON DC SUGHRUE/265550

65565

CUSTOMER NUMBER

Date: November 23, 2009